



image

AF/114-00
PATENT
CUSTOMER NUMBER, 34,986
Docket No. 01064.0011-07-000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Richard LEVY) Group Art Unit: 1714
Serial No.: 09/779,588) Examiner: Cephia D. Toomer
Filed: February 9, 2001)
For: SUPERABSORBENT POLYMER-)
LUBRICANT COMPOSITIONS ON A)
SUBSTRATE)

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, Lee County Mosquito Control District, duly organized under the laws of Florida and having its principal place of business at 15191 Homestead Road, Lehigh , Florida, 33971, through its attorneys, represents that it is the assignee of the entire right, title and interest in and to the instant application, Application No. 09/779,588, filed February 9, 2001 in the name of Richard Levy, by assignment duly recorded in the United States Patent and Trademark Office at Reel 7895, Frame 0372 on March 27, 1996.

Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156

and 173, of any patent that may issue on co-pending United States Patent application Serial No. 09/357,957 filed July 21, 1999, Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent that may issue on co-pending United States Patent application Serial No. 09/357,957 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent that may issue on co-pending United States Patent application Serial No. 09/357,957, in the event that any patent that may issue on co-pending United States Patent application Serial No. 09/357,957 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), applicant's attorney submits FORM PTO 2038 for payment of the required fee of \$55.00 (small entity) with this disclaimer. The undersigned is an attorney of record.

Respectfully submitted,

THE LAW OFFICES OF ROBERT J. EICHELBURG

By: Robert J. Eichelburg
Robert J. Eichelburg
Reg. No. 23,057

Dated: February 23, 2004

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service in accord with 37 C.F.R. § 1.8 on the date indicated below and is addressed to Board of Patent Appeals and Interferences, United States Patent and Trademark Office, P. O. Box 1450, Alexandria, Virginia 22313-1450

By: Robert J. Eichelburg
Robert J. Eichelburg, Reg. No 23,057

Dated: February 23, 2004